

**FITCHBURG PLANNING BOARD MEETING MINUTES
TUESDAY, OCTOBER 20, 2009**

MEMBERS PRESENT: Paula Caron, Chair
John DiPasquale
Mike DiPietro
Mike Hurley

MEMBERS ABSENT: Nancy Maynard
Paul Fontaine, Jr.
Elizabeth Slattery

PLANNING OFFICE: David Streb
Mike O'Hara

Call to Order

Meeting called to order at 6:38 p.m. in the Veteran's Room, First Floor, City Hall.

Communications

Info on Community Planner Training Service courses distributed.

Board informed of recent change in Conflict of Interest Law for municipal employees. State Ethics Commission will prepare on-line training course. All municipal employees will be required to pass. Staff will keep Board informed when this is available.

ANR plans

The Board reviewed the following "ANR" plans:

BKS Trust, 70 King St.

Two new conforming lots to the rear of Shirley Catering (fronting on Amriott St.) to be split off. Remainder is conforming lot. Order of Conditions for new dwellings on the lots had been approved 2+ years ago.

The Board endorsed the plan.

Fitchburg Affordable Housing Corp., Elm St. & Lowe Passway

Wes Flis, Whitman & Bingham & Steve Cook of the Twin Cities CDC present.

Proposing to re-subdivide several parcels for conveyancing purposes among several parties. The end result will be three proposed 5,000 + sq. ft. lots for single-family dwellings. Special Permit application & plan to be submitted for November meeting).

The Board endorsed the plan.

Bridle Cross Realty Trust, Rollstone Rd.

Larry Sabeau, Hannigan Engineering explained plan. A 50-foot deep buffer zone was required by the Bridle Cross condos Special Permit. The 50-foot deep strip is proposed to be split up into 30 parcels and offered by Bridle Cross Realty Trust to abutting dwellings on Cathy St., Autumn Dr. & Gardner St. to expand the abutters lots. The parcels will be offered at no cost, except the cost of recording the deed.

The Board wanted a note on the plan stating that the land within the 50-foot buffer strip is to remain as undisturbed Open Space, per condition of the Special Permit #04-4 (as amended) for the Bridle Cross Estates condominium development.

Larry agreed to withdraw the Form "A" application. He will revise the plan and submit it for the Board's November meeting.

Benoit, 155 Airport Road

Board reviewed plan showing former Falulah Paper mill site. A 38,000 sq. ft. lot is to be split off around the methadone clinic at on Airport Road, and a 40,000 sq. ft. parcel around an existing structure on Falulah Street. There is a 9.97 acre remainder Lot B. The former Falulah paper mill is to be demolished. Since proposed property lines ran through the existing building, the Board wanted a standard zoning disclaimer added to the plan. The Board voted unanimously to authorize Dave Streb to sign the ANR plan on their behalf when this note was added to the plan.

Meeting Minutes

Motion made & seconded to approve minutes of the September 15th Planning Board meeting with minor corrections. Vote unanimous to approve.

Minor Site Plan Review

476 John Fitch Hwy., Jack Hoover - nightclub at Cinema World

Action: Withdrawn

Mike O'Hara said just before the meeting, Jack Hoover had verbally requested that his application be Withdrawn. The Board unanimously accepted request to Withdraw.

323 Princeton Rd, Universal Machine - revised site plan

Atty. Watts said they don't have a revised plan as yet.

Will put it agenda when there is a plan. In the future, he will be filing for a Special Permit under the Mill Conversion Overlay District for mixed use.

OTHER BUSINESS

Request for extension on conditions – Parker Hill Acres subdivision, Matson Homes

Last year when the Board last considered this matter they agreed to extend the time period of time for performance of two conditions of approval:

- \$10,000 for a Westminster Hill Road planning study
- water system improvements required by Water Dept.

to the commencement of Phase II of the subdivision, or until October 2009, whichever comes first.

Atty. Watts said Ken Matson hopes to build out Phase II of subdivision starting in May 2010. He said 11 of the 14 lots in Phase I are sold or under construction. He plans to do grading & infrastructure in Phase II in winter '09-'10, and install binder course in Spring 2010. He requested that due to the slow economy the performance of the two conditions be postponed one year.

Discussion about phasing it.

Board decided to continue the performance of the water system improvements required by Water Dept. to Oct. 2010 and the \$10,000 for a Westminster Hill Road planning study condition amended by requiring a contribution of \$5,000 by May 1, 2010, and the remaining another \$5,000 by October 1, 2010

Vote unanimous in favor

PUBLIC HEARINGS

Special Permit Zoning Ordinance amendment - add new Section 181.87, Smart Growth Overlay District (continued from 9-15-09)

Angus Jennings of Concord Square Planning & Development present.

Angus handed out explanation dated 10-20-09 of several minor changes in proposed Design Standards based on comments.

Suggested change to Section 6.2.3 - Board OK with revision, but keep "shall", strike "when possible".

Board voted unanimously to send recommendation to City Council in favor of zoning amendment and accompanying Design Standards, as modified by Board's discussion.

OTHER BUSINESS

Draft Conditions – 245 River St. - Mill Conversion Special Permit

Wes Flis, Whitman & Bingham & Tony Marcotte, MDP Development present.
Discussion on draft conditions of approval
NTE 176 units, \$750 per unit contribution for off-site improvements,
Value of building trail can be deducted from the contribution for off-site work.

Tony – trail can only be 5 feet wide because that's all the room they have.
Total parking spaces required is 284.

Draft conditions to be revised for review at next meeting.

Draft Conditions – 1428 Main St. - Mill Conversion Special Permit

Wes Flis present on behalf of applicant.

Discussion on draft conditions of approval.

NTE 150 rental units, applicant to do traffic counts and traffic impact study for this project prior to issuance of building permit, construct section of sidewalk on Sheldon St., \$750 per unit contribution for off-site improvements, payable 6 months after issuance of Occupancy Permit or upon sale of unit if converted to condos, notification to future users that there is existing industries in the area, (so be forewarned).

Value of traffic impact study and sidewalk can be deducted from the contribution for off-site work.

Draft conditions to be revised for review at next meeting.

Preliminary Review - Newark America, 100 Newark Way – Earth Removal

No one in attendance.

This will be on November's agenda for a public hearing. Ms. Caron thought that the applicant should be prepared to answer how much material was to be removed from site, how many truckloads per day, the route that trucks would be taking, hours of operation.

She also brought up possibility of an outside engineering review of the application.

2010 meeting schedule

Since special Senate election in January 2010 will fall on a regular meeting day, draft meeting schedule includes several Thursday meetings. Board agrees to draft 2010 meeting schedule.

Meeting adjourned 9:09 p.m.

Next meeting: 11-17-09

Minutes approved: 11-17-09